

REMARKS

Favorable reconsideration of this application, as present amended and in light of the following discussion, is respectfully requested.

Claims 1-3, 5-9, 11, 12, 14, 15, 17-27, 29-32, 34, 36, and 38-40, are currently pending. Claims 1, 7, and 19-25 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-3, 5-9, 11, 12, 25-27, 29-32, 34, 36, and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,833,865 to Fuller et al. (hereinafter “the ‘865 patent”) in view of U.S. Patent No. 7,313,316 to Winter (hereinafter “the ‘316 patent”), further in view of Official Notice; Claims 14, 15, and 17-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over the ‘865 and ‘316 patents and Official Notice, further in view of U.S. Patent Application Publication No. 2002/0041754 to Kikuchi et al. (hereinafter “the ‘754 application”); and Claims 38 and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘865 and ‘316 patents and Official Notice, further in view of U.S. Patent No. 6,308,005 to Ando et al.

Amended Claim 1 is directed to a method of compressing and recording data of image information as a plurality of video object units on a read-only DVD recording medium according to a DVD-video format according to a decoding and reproducing unit, the method comprising: (1) performing compression of inputted image data; (2) generating additional information about the inputted image data; and (3) multiplexing, in each video object unit, an additional information block that includes the additional information generated in the generating step at a block position immediately after a pack that contains reproduction management information of the inputted image data and immediately before a group of

blocks that include compressed image information processed by compression encoding through the use of only image information in the decoding and reproducing unit, and recording the additional information block on the recording medium, wherein the additional information that is multiplexed and recorded on the recording medium includes at least application information, recording time information, and camera information, and the application information includes a vendor name as a manufacturer of a product, and a product name. Further, Claim 1 has been amended to clarify that each video object unit is a unit of reading and writing, and includes (1) the pack that contains reproduction management information of the inputted image data, (2) the additional information block, and (3) the group of blocks that include compressed image information processed by compression encoding through the use of only image information in the decoding and reproducing unit. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.¹

Regarding the rejection of Claim 1 under 35 U.S.C. §103(a), the Office Action asserts that the '865 patent discloses everything in Claim 1 with the exception of the multiplexing of the additional information at a block position immediately after a pack that contains reproduction management information, and that the application information includes a vendor name as a manufacturer of a product, and a product name,² and relies on the '316 patent and Official Notice to remedy those deficiencies.

The '865 patent is directed to an integrated data and real-time metadata capture system, comprising: (1) a digital capture device producing a digital representation of one or more forms of media content; (2) a feature extraction engine configured to automatically extract metadata in real time from the digital content simultaneously with encoding of the

¹ See, e.g., page 22 in the specification.

² See page 5 of the outstanding Office Action.

content; (3) a storage device configured to store the encoded media content in the metadata; and (4) an output interface in communication with the storage device to generate output data while preserving a temporal relationship between a sequence of the metadata and additional content. As shown in Figure 1, the '865 patent also discloses a collateral data input unit storing metadata related to the device state, which can be formatted with the content data. Further, the '865 patent discloses that the device data information can include lens properties, enclosure values, f-stops, and audio gains. Further, the '865 patent discloses that the metadata may be combined with the content data using the MPEG-7 format or in other formats such as Apple QuickTime.³

However, as admitted in the outstanding Office Action, the '865 patent fails to disclose the step of multiplexing, in each video object unit, an additional information block that includes the additional information generated in the generating step at a block position immediately after a pack that contains reproduction management information of the imported image data and immediately before a group of blocks that include compressed image information, wherein each video object unit is a unit of reading and writing as recited in amended Claim 1.

Further, as admitted in the outstanding Office Action, the '865 patent fails to disclose that the additional information that is multiplexed and recorded on the information medium includes at least application information, the application information including a vendor name as a manufacturer of a product, and a product name, as recited in amended Claim 1.

The '316 patent is directed to a method of assembling a decodable bitstream having a data structure fulfilling the requirements of the DVD-video format and the DVD-VR format, wherein the data of the bitstream includes a first main overhead data, and multiple data units, each data unit including a navigation pack, as well as one or more video and audio

³ See '865 patent, column 6, lines 13-22.

packs. Further, the '316 patent discloses that each of the data units includes a second data unit that is a RDI_PCK pack (Real-time Data Information) that is used for the DVD-VR type recorder or player. In particular, the '316 patent discloses that the RDI_PCK pack points in the stream to the beginning of each VOBU according to the DVD-VR standard, part 3, chapter 2.4 and 5.4.4. As illustrated in Figures 2 and 3, the '316 patent discloses a data format in which the same data stream can be used for either a DVD-Video reader or a DVD-VR reader. As shown in those figures, the '316 patent discloses that the RDI packet is not used for the DVD-video format, but is merely inserted so that the overall data stream can be used in either system. Thus, the '316 patent discloses that, in the DVD-VR system, the RDI pack is actually the first pack while the NV_PCK pack is the last pack in the VOBU.

However, as admitted in the outstanding Office Action, the '316 patent fails to disclose that the additional information includes at least application information, and the application information includes a vendor name as the manufacturer of a product, and a product name, as required by Claim 1.

However, Applicants respectfully submit that the '316 patent fails to disclose the step of multiplexing, in each video object unit, and additional information block that includes the additional information generated in the generating step at a block position immediately after a pack that contains a reproduction management information, and immediately before a group of blocks that include compressed image information, wherein each video object unit is a unit of reading and writing, as recited in amended Claim 1. Rather, the '316 patent merely discloses that in a new combined DVD-video and DVD-VR format, an RDI pack, which is only used by the DVD-VR reader, is inserted after a navigation pack. However, the RDI pack disclosed by the '316 patent contains pointers to the data stream, and is unrelated to the additional information recited in Claim 1. In this regard, Applicants note that Figure 5 in the second embodiment disclosed by Applicants' specification relates to the DVD-VR format

and discloses RDI packs. In contrast, in a non-limiting example, Figures 4A and 4B, which are directed to the DVD-video format, do not include RDI packs. Accordingly, Applicants respectfully submit that Figures 2 and 3 in the '316 patent are irrelevant to Claim 1. At most, Figures 2 and 3 of the '316 patent merely disclose that another type of pack can follow the navigation pack in a VOB, but does not teach or suggest that the additional information recited in Claim 1 should be stored in that pack. Rather, the '316 patent merely discloses that a well-known RDI pack used in the DVD-VR standard can be included in the combined system, but that the RDI pack is only used by the DVD-VR reader.

Applicant again respectfully traverses the Official Notice that the additional information recited in Claim 1 includes at least application information and that the application information includes a vendor name and a product name. Again Applicant respectfully requests that the Office provide prior art reference to this effect. Further, Applicant notes that the Office Action states that the product name and vendor name are "well known in the art," but does not provide any evidence of this. As set forth in MPEP § 2144.03, "Official Notice supported by documentary evidence should only be taken by the examiner where the facts asserted to be well known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well known." In the present case, Applicant respectfully submits that, it is one thing for a product name and vendor name to be "well known in the art," but is quite another thing for a vendor name and a model name to be multiplexed in an additional information block with image data in the manner recited in Claim 1. **Claim 1 does not claim the mere existence of a product name and a vendor name.** Of course, products have names and vendors have names. Claim 1 requires more. Claim 1 requires that such names be multiplexed in an additional information block with image data in a particular manner. Applicant respectfully submits that it is pure speculation that the RDI pack shown in Figures 2 and 3 of the '316 patent would include a

product name and a vendor name. The '316 patent is silent regarding vendor names or product names.

Further, Applicants note that MPEP § 2144.03 states that, to adequately traverse an assertion of Official Notice, an applicant must specifically point out the supposed errors in the Examiner's action, which would including stating why the notice of fact is not considered to be common knowledge or well known in the art. Applicants respectfully submit that Applicants made such a showing in the previously filed response, which was filed on August 25, 2009. In this regard, the MPEP states that "...if applicant adequately traverses the examiner's assertion of the Official Notice, the examiner must provide documentary evidence in the next office action if the rejection is to be maintained." See 37 C.F.R. § 1.104(c)(2). On the contrary, the Office Action has merely repeated the same assertion of Official Notice, contrary to the requirements of MPEP §2144.03.

Thus, no matter how the teachings of the '865 patent, the '316 patent, and Official Notice are combined, the combination does not teach or suggest multiplexing, in each video object unit, an additional information block that includes the additional information generated in the generating step at a block position immediately after a pack that contains reproduction management information of the inputted image data and immediately before a group of blocks that include compressed image information processed by compression encoding, the additional information including application information that includes a vendor name and a product name, as recited in amended Claim 1. Accordingly, Applicant respectfully submits that the rejection of amending Claim 1 (and all associated dependent claims) is rendered moot by the present amendment to Claim 1.

Independent Claims 7 and 25 recite limitations analogous to the limitations recited in Claim 1, and have been amended in a manner analogous to the amendment to Claim 1. Accordingly, for the reasons stated above, Applicant respectfully submits that the rejection of

Claims 7 and 25 (and all associated dependent claims) are rendered moot by the present amendment to Claims 7 and 25.

Independent Claim 19 is directed to a reproducing method, comprising: (1) reading compressed image information according to a decoding and reproducing unit from a read-only DVD recording medium according to a DVD-video format, decompressing the compressed image information, and reproducibly outputting image information according to the decoding and reproducing unit, wherein the recording medium records inputted image data as a plurality of video object units in a data compression manner according to the decoding and reproducing unit, and records an additional information block, the additional information block obtained by multiplexing, in each video object unit, an additional information block that includes additional information generated by an additional information generation means at a block position immediately after a pack that contains reproduction management information of the inputted image data and immediately before a group of blocks including compressed image information processed by compression encoding through the use of only image information in the decoding and reproducing unit and recording the additional information block on the recording medium, wherein the additional information that is multiplexed and recorded on the recording medium includes at least application information, recording time information, and camera information, and the application information includes a vendor name as a manufacturer of a product, and a product name; and (2) extracting the additional information contained in the decoding and reproducing unit and reproducibly outputting the additional information in synchronization with reproduction output of the image information according to the decoding and reproducing unit, wherein each video object unit is a unit of reading and writing, and includes (1) the pack that contains reproduction management information of the inputted image data, (2) the additional information block, and (3) the group of blocks that include compressed image information

processed by compression encoding through the use of only image information in the decoding and reproducing unit.

As discussed above, the combined teachings of the '865 and '316 patents fail to teach or suggest the multiplexing recited in Claim 19 and the content of the additional information recited in Claim 19.

The '754 application is directed to a recording/reproducing apparatus including a first recording/reproducing medium, a first recording/reproducing processing section configured to record information on or reproduce information from the first recording/reproducing medium, a second recording/reproducing processing section configured to record information on or reproduce information from a second recording/reproducing medium; a display signal output section configured to supply an external device within a reproduction signal from at least one of the first and second recording/reproducing processing sections; and a system control section configured to control operation of the apparatus.

However, Applicant respectfully submits that the '754 patent fails to remedy the deficiencies of the '316 and '865 patents, as discussed above. In particular, Applicant respectfully submits that the '754 application fails to disclose the multiplexing and additional information recited in Claim 19. Thus, no matter how the teachings of the '316 patent, the '865 patent, and the '754 application are combined, the combination does not teach or suggest the multiplexing recited in Claim 19. Accordingly, Applicant respectfully submits that the rejection of Claim 19 (and all associated dependent claims) is rendered moot by the present amendment to that claim.

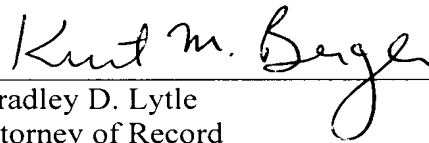
Independent Claims 20-24 recite limitations analogous to the limitations recited in Claim 19, and have been amended in a manner analogous to the amendment to Claim 19. Accordingly, for the reasons stated above, Applicant respectfully submits that the rejections of Claims 20-24 are rendered moot by the present amendment to those claims.

Thus, it is respectfully submitted that independent Claims 1, 7, and 19-25 (and all associated dependent claims) patentably define over any proper combination of the cited references.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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